REMARKS

In response to the Office Action dated December 22, 2006, Applicant respectfully requests reconsideration and withdrawal of the rejections of the claims.

In the Office Action, the rejections based upon the Chang et al publication and the Elliott et al patent were maintained. It is respectfully submitted that these references do not disclose, nor otherwise suggest, the subject matter of the presently pending claims, for the reasons set forth in Applicant's previous response, filed October 17, 2006. It is noted that the most recent Office Action does not address many of the points raised in the previous response, despite Applicant's explicit request for an explanation of the Examiner's position.[1] It only addresses the arguments regarding claim 1, which are discussed further hereinafter. If the rejections based upon the Chang and Elliot references are not withdrawn, Applicant respectfully submits that he is entitled to a substantive response to each of the arguments presented in the previous response, pursuant to MPEP 707.07(f).

MPEP §2143 sets forth the three basic criteria that must be met to establish a *prima facie* case of obviousness. One of these criteria is that "the prior art reference (or references when combined) must teach or suggest all of the claim limitations." It is respectfully submitted that the Chang and Elliott references do not meet this requirement, either individually or in combination.

Claim 1 recites a method for moving an object in a graphical user interface that includes, as a first step, determining a path of movement for the object along at least one axis, "and a period of time for the movement along said path." As pointed

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[1] See, for example, the arguments on the following pages:
    Page 3, lack of motivation to combine the references
    Pages 4-5, discussion of claims 5, 8 and 17
    Page 5, discussion of claim 4
    Pages 5-6, discussion of claims 12 and 13

out in Applicant's previous response, it is unclear from the Office Action whether the Examiner is taking the position that the Chang references does, or does not, disclose this claimed feature. On page 2 of the Office Action, the Examiner appears to be asserting that it does. However, in the first full sentence on page 3, the Office Action states "Chang et al does not specifically teach determining a period of time for the movement along the path." Subsequently, on page 7, the Office Action states that the disclosure of slow movement in the Chang reference "implicitly" teaches a period of time for movement along the path. For the reasons presented hereinafter, it is respectfully submitted that the Chang patent does not disclose the step of "determining . . . a period of time for the movement along said path," either explicitly or implicitly.

First, it is to be noted that claim 1 does not merely recite the step of determining a period of time for movement along the path, per se. Rather, it recites this step in combination with the further step of calculating an instantaneous position for the object along the path in accordance with "the relationship of a current time value to said period of time." Referring to Figures 8 and 9 of the present application, the time period is represented as T, which begins at time instance t_0 and ends at t_8. As described on pages 13 and 14 of the specification, the current time value is used to calculate the amount of time that has elapsed since the beginning of the period, i.e. since t_0. The ratio of this elapsed time to the total length of the time period is then used to calculate the position of the moving object. See Equation 2 at the top of page 14.

The Chang reference does not disclose that, in the implementation of its slow in and slow out animation, a period of time is determined, and employed in the

positioning of the object being moved. There is no indication that the *length of time* that it takes the object to go from the initial position to the final position is taken into consideration. The reference only refers to the velocity of the movement, i.e. "slowly" and "faster". It does not disclose *how* that velocity is determined, and specifically does not disclose that such a determination is made with reference to a specific length of time.

Accordingly, it is respectfully submitted that the Chang reference does not implicitly teach the step of <u>determining</u> a period of time for movement along the path. Nor does it disclose that the instantaneous position of an object along the path is calculated in accordance with "the relationship of a current time value to said period of time," as recited in claim 1. If the rejection is not withdrawn, the Examiner is requested to explain, with particularly, how the reference can be interpreted to disclose these claimed features. The general reference to Figures 8 and 9 does not provide a sufficient explanation, since they do not contain any disclosure relating to a time period, or the relationship of a current time value to the length of time over which the object moves along its path.

Like claim 1, claim 14 recites the feature of determining a period of time for the movement of the object along a path, and calculating an instantaneous position for the object along the path in accordance with the relationship of a current time value to the period of time. In an analogous manner, claims 17 and 25 recite the feature of "selecting . . . a period of time" within which the movement of the object occurs. Since the Chang reference does not disclose the use of a determined, or selected, period of time within which to move an object, it cannot be interpreted to suggest this claimed feature.

The Elliott patent also does not disclose this feature of the claimed subject matter. In rejecting claim 1, the Office Action refers to the Elliott patent's disclosure of "a periodic function of time," e.g. the sine function. It is respectfully submitted that this is not the same thing as the claimed subject matter. A "period of time" refers to a specific *length* of time. In contrast, a periodic *function* of time, as its name indicates, refers to a value that varies over time, and repeats itself on a regular basis. Thus, the fact that the Elliott patent discloses the use of the sine function to control the pivoting of an object around an axis does not suggest a specific length of time. In other words, it does not indicate whether the oscillation of the object occurs over one second, one minute, or one hour. The length of time over which it occurs is independent of the sine function itself.

Accordingly, it is respectfully submitted that neither the Chang reference nor the Elliott patent discloses the claimed feature of determining, or selecting, a period of time over which the movement of an object is to occur. The Chang reference only refers to velocity, and the Elliott patent's disclosure of the sine function only pertains to angular position. Neither reference discusses the *length* of time over which movement occurs.

For at least these reasons, therefore, the references do not support a *prima facie* case of obviousness. Withdrawal of the rejections of claims 1, 14, 17 and 25, as well as their dependent claims, is respectfully requested.

Claim 5 recites a method for minimizing a window in a graphical user interface, wherein, in response to a command to minimize the window, it is moved along a path to a destination location with a changing velocity. Similar subject matter was previously recited in claim 11. In rejecting that claim, the Office Action refers to

the cited IBM Technical Disclosure Bulletin, and states that it teaches animations for minimizing a window. It is respectfully submitted that this reference does not teach the subject matter recited in claim 5. The IBM Technical Disclosure Bulletin discloses animations that are applied to the *appearance* of the window as it is being closed. None of these animations involve the *movement* of the window from one location to another, as it is being minimized. Neither the Chang reference nor the IBM Technical Disclosure Bulletin suggests that movement should be employed in combination with the minimization of a window. As such, even when they are considered in conjunction with one another, they do not teach that, in response to a command to minimize a window, the window should be moved from one location to another with a changing velocity.

Claim 8 recites a user interface in which an object is removed from a series of objects, and other objects in the series move toward the space occupied by the removed object. The claim further recites that this movement of the other objects occurs at a changing velocity. Claim 13 recites the converse operation, in which an object is inserted into a series of objects, and other objects in the series move away from the inserted object with a changing velocity.

In rejecting claims 12 and 13, the Office Action characterizes the Ellison-Taylor patent as "implicitly" teaching movement of objects in a series toward a space, or away from an inserted object. It is respectfully submitted that the Ellison-Taylor patent does not contain any disclosure relating to the *movement* of objects, particularly in connection with the removal or insertion of objects in a series. Rather, it only discloses the resizing of existing windows, to fill the display space on a screen in a tiling operation. For example, Figure 5A illustrates an initial arrangement of

windows A-F in a display. Figure 5F illustrates the final arrangement, after the windows have been tiled within the display. It can be seen that this display still consists of windows A-F, and they still occupy the same positions relative to one another. There has been no insertion or removal of any of the windows from the display, or movement of the windows from one location to another.

Accordingly, it is respectfully submitted that the Ellison-Taylor patent does not suggest the subject matter of claims 8 or 13, or any of their dependent claims. It only pertains to the tiling of a given set of windows within a display. It does not disclose the insertion or removal of objects in a series, let alone the manner in which other objects are moved to accommodate the inserted or removed object.
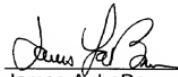
For the foregoing reasons, it is respectfully submitted that all pending claims are allowable over the references of record. Withdrawal of the rejections is respectfully requested.

Respectfully submitted,

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Date: 4-23-2007

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